<u>Remarks</u>

Claims 1-3, 5, 7, 9-26, 28, and 30-34 are pending in this application. The

examiner has issued a restriction requirement in this application. The examiner has identified a

first patentably distinct species that is drawn, as claimed in claim 5, to the selection of the server

that has the highest execution level among the set of servers. The examiner has identified a

second patentably distinct species that is draw, as claimed in claim 7, to the selection of the

server that has the highest input/output demand among the set of servers.

In response to this restriction requirement, the applicants select the first species,

which is drawn to the limitation set out in claim 5. Claim 7 has been withdrawn. Applicants

respectfully submit that no other claims include the limitation that is set out in claim 7.

11

Respectfully submitted,

Roger Fulghum

Registration No. 39,678

Baker Botts L.L.P. 910 Louisiana One Shell Plaza Houston, Texas 77002-4995 (713) 229-1707

Baker Botts Docket Number: 016295.0641

Date: October 16, 2006

HQU03:1081965